



**STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102**

**AGENDA FOR BOARD MEETING
WEDNESDAY, APRIL 26, 2006
2:00 p.m. – NEWARK
EXECUTIVE SESSION***

**(Open Session will not reconvene until 3:00 p.m., at the earliest, following the conclusion of the Executive Session, which will commence at 2:00 p.m.)*

2. ENERGY

- B.** Docket No. EM05020106 - In the Matter of the Joint Petition of Public Service Electric and Gas Company and Exelon Corporation for Approval of a Change in Control of Public Service Electric and Gas Company, and Related Authorizations;

In the Matter of Exelon Corporation Public Service Enterprise Group - FERC Docket No. EC05-043-000; and

In the Matter of PPL Electric Utilities Corporation, et al. vs. Federal Energy Regulatory Commission, United States Court of Appeals for the DC Circuit, Docket Nos. 06-1009 et al. (consolidated) (NJBPV vs. FERC, Docket No. 06-1075).

- G.** Docket No. EO06040313 – In the Matter of Public Service and Gas Company – Private Letter Ruling Request Seeking a Finding that the Continued Flow-Through to Ratepayers of Accumulated Deferred Investment Tax Credits Associated with Certain Divested Generation Assets Would Not Violate the IRS' Normalization Rules;

Docket No. EO06040314 – In the Matter of Jersey Central Power & Light, Company – Private Letter Ruling Request Seeking a Finding that the Continued Flow-Through to Ratepayers of Accumulated Deferred Investment Tax Credits and Excess Deferred Income Taxes Associated with Certain Divested Generation Assets Would Not Violate the IRS' Normalization Rules; and

Docket No. EO06040315 – In the Matter of Pepco Holdings, Inc., on Behalf of Atlantic City Electric Company - Private Letter Ruling Request Seeking a Finding that the Continued Flow-Through to Ratepayers of Accumulated Deferred Investment Tax Credits and Excess Deferred Income Taxes Associated with Certain Divested Generation Assets Would Not Violate the IRS' Normalization Rules.

EXECUTIVE SESSION*

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2. ENERGY (CONT'D)

- H.** Docket No. EO06040395 – In the Matter of the Petition of Public Service Electric and Gas Company's (PSE&G) Request for Deferral Accounting Authority for the Energy Information and Control Network Pilot Program.

3. CABLE TELEVISION

- B.** Docket No. CO06040296 – In the Matter of the Pending Litigation with RCN Telecom Services, Inc. – Update.



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**AGENDA FOR BOARD MEETING
WEDNESDAY, APRIL 26, 2006
3:00 p.m. – NEWARK
CONSENT AGENDA
Open Session***

**(Open Session will not reconvene until 3:00 p.m., at the earliest, following the conclusion of the Executive Session, which will commence at 2:00 p.m.)*

I. CLEAN ENERGY

NO ITEMS FOR CONSIDERATION

II. ENERGY

NO ITEMS FOR CONSIDERATION

III. CABLE TELEVISION

- A.** Docket No. CE05121065 - In the Matter of the Petition of Comcast of Monmouth County, LLC for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Borough of Tinton Falls, County of Monmouth, State of New Jersey.
- B.** Docket No. CE05121030 - In the Matter of the Petition of Comcast of Gloucester County, LLC for a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Borough of Paulsboro, County of Gloucester, State of New Jersey.
- C.** Docket No. CE05121054 - In the Matter of the Petition of Comcast of Burlington County, LLC for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable System in and for the Borough of Palmyra, County of Burlington, State of New Jersey.

IV. TELECOMMUNICATIONS

- A.** Docket No. TO05050418 - In the Matter of the Petition of Verizon New Jersey, Inc. for Arbitration of an Amendment to Interconnection Agreements with Competitive Local Exchange Carriers in New Jersey Pursuant to Section 252 of the Communications Act of 1934, as Amended, the Triennial Review Order and the Triennial Review Remand Order;

Docket No. TO05070606 - In the Matter of the Petition of Dieca Communications d/b/a Covad Communications, Company, SNIP Link LLC, XO Communications Services, Inc. and XTEL Communications, Inc. for an Amendment to Interconnection Agreements with Verizon New Jersey Inc. Pursuant to Section 252(b) of the Communications Act of 1934, as Amended, the Triennial Review Order and Triennial Review Remand Order;

Docket No. TO05060551 - In the Matter of the Petition of XO Communications Services, Inc. for Arbitration of an Amendment to an Interconnection Agreement with Verizon New Jersey, Inc.; and

Docket No. TO05060552 - In the Matter of the Petition of ATX Licensing, Inc., CTC Communications Corp.; ICG Telecom Group, Inc.; and Lightship Telecom LLC for Arbitration of an Amendment to Interconnection Agreements with Verizon New Jersey Inc. Pursuant to Section 251, 252 and 271 of the Communications Act of 1934, as Amended, and the Triennial Review Order and Triennial Review Remand Order.

- B.** Docket No. TF06030142 - In the Matter of the Joint Petition of TelCove, Inc. and TelCove Investment, LLC for Authority to Enter into Certain Financing Arrangements.
- C.** Docket No. TF06010065 - In the Matter of the Petition of Paetec Communications, Inc. for Approval to Incur Debt Obligations.
- D.** Docket No. TM06020133 – In the Matter of the Verified Joint Petition of CTC Communications Group, Inc., CTC Communications Corp. d/b/a CT Communications Corp., Lightship Telecom, LLC and Choice One Communications Inc. for Approval of a Change in Ownership of Authorized Telecommunications Providers in Connection with a Merger Transaction and for Authority to Provide Security in Connection with New Financing.

V. WATER

- A.** Docket Nos. BPU WR05121056 and OAL PUC 1862-06 - In the Matter of the Petition of Montague Sewer Company for an Increase in Rates for Sewer Service – Further Suspension Order.
- B.** Docket No. WR05121022 - In the Matter of the Aqua New Jersey, Inc. for Approval of an Increase in Rates for Water Service and Other Tariff Changes – Further Suspension Order.

V. WATER (CONT'D)

- C.** Docket No. WR06030257 - In the Matter of the Joint Petition of New Jersey American Water Company, Inc., Elizabethtown Water Company and the Mount Holly Water Company for Approval of Increased Tariff Rates and Charges for Water and Sewer Service and Other Tariff Revisions – Initial Suspension Order.

VI. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

VII. CUSTOMER ASSISTANCE

- A.** Docket Nos. BPU GC04070614U and OAL PUC 1015-05 - In the Matter of PAC “N” Wrap Corporation, Petitioner vs. NUI Corporation d/b/a Elizabethtown Gas Company, Respondent.
- B.** Docket Nos. BPU EC05040339U and OAL PUC 7395-05 - In the Matter of Max Natural Food, et al., Petitioner vs. Public Service Electric and Gas Company, Respondent.
- C.** Docket Nos. BPU EC05060536U and OAL PUC 11292-05 - In the Matter of Markesha Lloyd, Petitioner vs. Public Service Electric and Gas Company, Respondent.
- D.** Docket Nos. BPU EC05070611U and OAL PUC 11466-05 – In the Matter of Triestman & Sons, Inc. d/b/a Olek Lejbzon & Company, Petitioner vs. Public Service Electric & Gas Company, Respondent.
- E.** Docket Nos. BPU WC05060549U and OAL PUC 11293-05 - In the Matter of Theodora Kulesza, Petitioner vs. United Water New Jersey, Respondent.

VIII. AUDITS

- A.** Docket No. TE06010044 - In the Matter of the Petition of National Grid Communications, Inc. for Authority to Provide Intrastate Telecommunications Services Throughout the State of New Jersey.
- B.** Non-Docketed Matter – In the Matter of Wallkill Water Company and Wallkill Sewer Company 2005 BPU Annual Reports & Statements of Gross Intrastate Operating Revenues – Request for an Extension of Time to File.
- C.** Non-Docketed Matter - In the Matter of the Computer Network Technology Corporation 2005 BPU Annual Report - Request for an Extension of Time to File.

VIII. AUDITS (CONT'D)

- D.** Docket No. TE05110987 - In the Matter of the Petition of Comtel Telcom Assets LP Request for a Certificate of Public Convenience and Necessity to Provide Facilities-Based Local Exchange, Exchange Access and Resold Interexchange Telecommunications Services Throughout the State of New Jersey.

IX. MISCELLANEOUS

- A.** Approval of the Minutes of February 9, 2006 Special Meeting.



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AGENDA
Open Session***

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1. CLEAN ENERGY

NO ITEMS FOR CONSIDERATION

2. ENERGY

A. Docket No. AX05080740 - In the Matter of the Proposed Amendments to N.J.A.C. 14:29 Energy Emergency – Rule Proposal.

B. Docket Nos. BPU EM05020106 and OAL PUC1874-05 - In the Matter of the Joint Petition of Public Service Electric and Gas Company and Exelon Corporation for Approval of a Change in Control of Public Service Electric and Gas Company, and Related Authorizations;

In the Matter of Exelon Corporation Public Service Enterprise Group – FERC Docket No. EC05-043-000; and

In the Matter of PPL Electric Utilities Corporation, et al. vs. Federal Energy Regulatory Commission, United States Court of Appeals for the DC Circuit, Docket Nos. 06-1009 et al. (consolidated) (NJBPU vs. FERC, Docket No. 06-1075) – **See Executive Session.**

C. Docket No EO05040317 - In the Matter of the Review and Oversight of the New Jersey Electric Utilities' Basic Generation Service (BGS) Auction Process Acceptance of Charles River Associates' Post-Auction Report & Release of Holdback.

D. Docket No. GX06010036 – In the Matter of Natural Gas Customer Enrollment Issues and Procedures.

2. ENERGY (CONT'D)

- E.** Docket No. EF06020085 - In the Matter of the Petition of Jersey Central Power and Light Company for Authority to: (a) Issue and Sell Up to \$200,000,000 Aggregate Principal Amount of Senior Notes in One or More Series and to Make, Execute and Deliver One or More Supplemental Indentures in Connection Therewith; and (b) Issue a Like Aggregate Principal Amount of First Mortgage Bonds to Secure the Senior Notes Until the Release Date and to Make, Execute and Deliver One or More Supplemental Indentures in Connection Therewith.
- F.** Docket No. EO06040294 - In the Matter of the PJM's Open Access Transmission Tariff, Attachment M, Market Monitoring Unit (MMU) Procedures Filing with the Federal Energy Regulatory Commission (FERC) – Organization of PJM States, Inc. (OPSI) Intervention and Request for Additional Time with the FERC – FERC Docket No. ER06-826-000.
- G.** Docket No. EO06040313 – In the Matter of Public Service and Gas Company – Private Letter Ruling Request Seeking a Finding that the Continued Flow-Through to Ratepayers of Accumulated Deferred Investment Tax Credits Associated with Certain Divested Generation Assets Would Not Violate the IRS' Normalization Rules;
- Docket No. EO06040314 – In the Matter of Jersey Central Power & Light, Company – Private Letter Ruling Request Seeking a Finding that the Continued Flow-Through to Ratepayers of Accumulated Deferred Investment Tax Credits and Excess Deferred Income Taxes Associated with Certain Divested Generation Assets Would Not Violate the IRS' Normalization Rules; and
- Docket No. EO06040315 – In the Matter of Pepco Holdings, Inc., on Behalf of Atlantic City Electric Company - Private Letter Ruling Request Seeking a Finding that the Continued Flow-Through to Ratepayers of Accumulated Deferred Investment Tax Credits and Excess Deferred Income Taxes Associated with Certain Divested Generation Assets Would Not Violate the IRS' Normalization Rules – **See Executive Session.**
- H.** Docket No. EO06040395 – In the Matter of the Petition of Public Service Electric and Gas Company's (PSE&G) Request for Deferral Accounting Authority for the Energy Information and Control Network Pilot Program - **See Executive Session.**

3. CABLE TELEVISION

- A.** Docket No. CE05060531- In the Matter of the Petition of Service Electric Cable TV of New Jersey, Inc., for Renewal of its Certificate of Approval to own, Operate, Extend and Maintain a Cable Television System in the Township of Andover, County of Sussex, State of New Jersey.
- B.** Docket No. CO06040296 - In the Matter of the Pending Litigation with RCN Telecom Services, Inc. – Update - **See Executive Session.**

4. TELECOMMUNICATIONS

- A.** Non-Docketed Matter – In the Matter of the Federal Communications Commission's (FCC) Order and Fifth Further Notice of Proposed Rulemaking (FNPRM) Delegated Authority to Extend Mandatory Number Pooling FCC Docket No. 99-200.

5. WATER

- A.** Docket Nos. BPU WR06010021 and OAL 00675-2006S- In the Matter of the Petition of the Atlantic City Sewerage Company to Change the Level of its Purchased Sewerage Treatment Adjustment Clause.

6. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

7. CUSTOMER ASSISTANCE

NO ITEMS FOR CONSIDERATION

8. AUDITS

NO ITEMS FOR CONSIDERATION

9. MISCELLANEOUS

NO ITEMS FOR CONSIDERATION

The Office of Clean Energy will provide the Board with periodic updates regarding the Clean Energy Program. This presentation and any related discussion will take place at the end of the agenda meeting. Matters requiring a vote will continue to be listed only under the Clean Energy sections of the consent and regular agendas.

In the Matter of an Update to the Board on the following Clean Energy Matters:

- ? Clean Energy Program Expenditures
- ? Customer On-Site Renewable Energy (CORE) Program
- ? 2005 Annual Report